

APPEAL NO. 020130
FILED FEBRUARY 27, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 18, 2001. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of _____, did not include the cervical or thoracic areas, either shoulder, or depression, but was limited to the claimant's low back. The hearing officer further determined that the claimant's request to change his treating doctor should not be allowed, as the request was made for an improper purpose and it did not comply with Section 408.022(c) of the 1989 Act. The claimant appealed the hearing officer's determinations on sufficiency grounds, and the carrier responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, did not include the cervical or thoracic areas, either shoulder, or depression, but was limited to the claimant's low back. Further, the hearing officer did not err in determining that the claimant's request to change treating doctors, his fifth, should not be allowed. The record includes medical reports indicating that the claimant complained only of injury to his low back for a long time after the date of injury; the medical records also note concern about the claimant's use of pain medications. The hearing officer opines that the claimant's desire for more pain medications drives his numerous requests to change treating doctors. The parties presented conflicting evidence regarding each issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the carrier is **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE I
AUSTIN, TEXAS 78701.**

Terri Kay Oliver
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Michael B. McShane
Appeals Judge